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Counsel for Federal Defendant

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

WESTERN ORGANIZATION OF)
RESOURCE COUNCILS, *et al.*,)

Plaintiffs,)

v.)

U.S. BUREAU OF LAND)
MANAGEMENT,)

Defendant, and)

STATE OF WYOMING,)

Intervenor Defendant.)
_____)

Case No. 4:20-cv-00076-BMM-JTJ

**FEDERAL DEFENDANT'S
MOTION FOR REMAND
WITHOUT VACATUR**

Federal Defendant the United States Bureau of Land Management (BLM) respectfully requests that the Court remand, without vacatur, BLM's decisions approving the 2019 Approved Resource Management Plan Amendments (ARMPA) and Supplemental Environmental Impact Statements (SEIS) prepared by the Miles City Field Office (MCFO) and Buffalo Field Office (BFO). BLM submits this motion in lieu of filing a reply in support of its cross-motion for summary judgment, ECF No. 56. As explained in the accompanying brief, remand is appropriate here because BLM has determined, in light of comments received on the coal-leasing program, that remand of these decisions is appropriate to allow the information from the leasing program review to better inform the allocation decisions for future leasing under these plans.

In accordance with L.R. 7.1(1), counsel for Federal Defendants has conferred with counsel for Plaintiffs, who state that they oppose this motion, and Intervenor-Defendant, who states that Wyoming does not.

Respectfully submitted this 4th day of March, 2022.

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/s/ Arwyn Carroll
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